

MAY 16 2006

Atty Docket No.: 5655.P007PatentIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Carlson

Application No: 10/092,328

Filing Date: 03/06/2002

For: SPECULATIVE EXECUTION
FOR DATA CIPHERING
OPERATIONS

Examiner: David Garcia Cervetti

Art Unit: 2136

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05/16/06Judy L. Steinkraus

Date

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUMMARY OF EXAMINER INTERVIEW

Sir:

The Applicants thank the Examiner for the courtesy of the telephone interview of April 10, 2006. The summary of the interview follows:

Applicants discussed with the Examiner the rejections of the Office Action mailed 1/18/2006 to gain a better understanding of the rejections. No agreement regarding allowance was reached at that time. Independent claims 1 and 8 were discussed and the Schneier prior art. Applicants suggested possible claim amendments. Examiner agreed to perform an updated search once a formal amendment is filed.

The Applicants submit the above summary for the Examiner's review. The

App.. No.: 10/092,328

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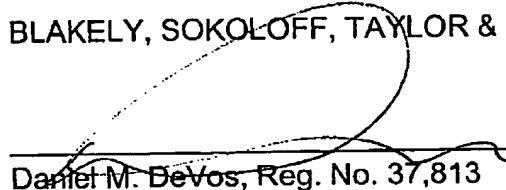
Atty Docket No.: 5655.P007

Applicants greatly appreciate the Examiner's ongoing efforts with regard to the present application.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 5/16/06


Daniel M. DeVos, Reg. No. 37,813

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MAY 16 2006

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FACSIMILE TRANSMITTAL SHEET

Deliver to: Mail Stop AmendmentFirm Name: Commissioner for PatentsFax Number: (571) 273-8300 Telephone No.: _____From: Daniel M. DeVosDate: 05/16/2006 Time: _____Operator: Judy Steinkraus x280 Matter: 10/092,328 5655.P007Number of pages including cover sheet: 13

Message: Certificate of Facsimile: I hereby certify that the referenced Amendment Transmittal + duplicate, Fee Transmittal + duplicate, Petition for Extension of Time + duplicate, and Summary of Examiner Interview (2 pages) is transmitted with this cover sheet to facsimile no. (571) 273-8300 to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on 05/16/2006.

Judy L. Steinkraus

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MAY 16 2006

AMENDMENT TRANSMITTALPATENT

Application No.: 10/092,328
 Filing Date: 03/06/2002
 First Named Inventor Carlson
 Examiner's Name: Cervetti, David Garcia
 Art Unit: 2136
 Attorney Docket No.: 5655.P007

An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.

Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.

Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.

Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

Preliminary Amendment

Amendment/Response with respect to Office Action

Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)

Notice of Appeal

RCE (Request for Continued Examination)

Supplemental Declaration

Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)

Information Disclosure Statement (IDS)

Copies of IDS citations

Petition for Extension of Time

Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)

Cross-Reference to Related Application(s)

Certified Copy of Priority Document

Other: Summary of Examiner Interview (2 pages)

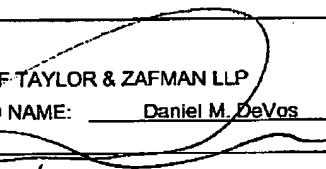
Other: _____

Check

Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Daniel M. DeVosSIGNATURE: REG. NO.: 37,818DATE: 5/16/06ADDRESS: 12400 Wilshire Boulevard, Seventh FloorLos Angeles, California 90025TELEPHONE NO.: (408) 720-8300CERTIFICATE OF FACSIMILE

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Date of Deposit

Judy L. Steinkraus

Name of Person Mailing Correspondence

05/16/2006

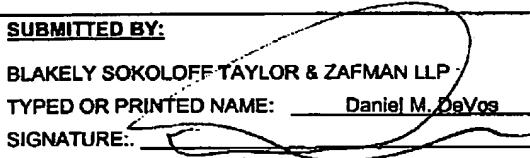
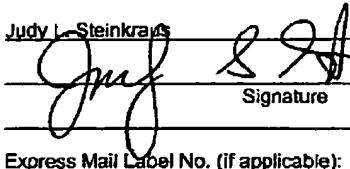
Signature

Date

Express Mail Label No. (if applicable):

(10/14/03)

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

<u>AMENDMENT TRANSMITTAL</u>		<u>PATENT</u>
Application No.: <u>10/092,328</u>		
Filing Date: <u>03/06/2002</u>		
First Named Inventor <u>Carlson</u>		
Examiner's Name: <u>Cervetti, David Garcia</u>		
Art Unit: <u>2136</u>		
Attorney Docket No.: <u>5655.P007</u>		
<p><u> </u> An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.</p> <p><input checked="" type="checkbox"/> Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.</p> <p><input checked="" type="checkbox"/> Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.</p> <p><u> </u> Applicant(s) claim small entity status (37 CFR 1.27).</p>		
<u>ATTACHMENTS</u>		
<p><u> </u> Preliminary Amendment</p> <p><u> </u> Amendment/Response with respect to Office Action</p> <p><u> </u> Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)</p> <p><u> </u> Notice of Appeal</p> <p><u> </u> RCE (Request for Continued Examination)</p> <p><u> </u> Supplemental Declaration</p> <p><u> </u> Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)</p> <p><u> </u> Information Disclosure Statement (IDS)</p> <p><u> </u> Copies of IDS citations</p> <p><input checked="" type="checkbox"/> Petition for Extension of Time</p> <p><input checked="" type="checkbox"/> Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)</p> <p><u> </u> Cross-Reference to Related Application(s)</p> <p><u> </u> Certified Copy of Priority Document</p> <p><input checked="" type="checkbox"/> Other: <u>Summary of Examiner Interview (2 pages)</u></p> <p><u> </u> Other: _____</p> <p><u> </u> Check</p> <p><u> </u> Postcard (Return Receipt)</p>		
<u>SUBMITTED BY:</u>		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP		
TYPED OR PRINTED NAME: <u>Daniel M. DeVos</u>		
SIGNATURE: 		
REG. NO.: <u>37,818</u>		
DATE: <u>5/16/06</u>		
ADDRESS: <u>12400 Wilshire Boulevard, Seventh Floor</u> <u>Los Angeles, California 90025</u>		
TELEPHONE NO.: <u>(408) 720-8300</u>		
<u>CERTIFICATE OF FACSIMILE</u>		
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Date of Deposit		
Judy L. Steinkraus  Name of Person Mailing Correspondence		
Signature <u>05/16/2006</u> Date		
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Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

MAY 16 2006

Page 1 of 3

FEE TRANSMITTAL FOR FY 2006

Effective on 10/01/2005. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 120.00

Complete if Known:

Application No. 10/092,328
 Filing Date 03/06/2002
 First Named Inventor Carlson
 Examiner Name Cervetti, David Garcia
 Art Unit 2136
 Attorney Docket No. 5655.P007

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify)

 Deposit AccountDeposit Account Number : 02-2666

Deposit Account Name: _____

 The Director is authorized to do the following with respect to the above-identified Deposit Account: Charge fee(s) indicated below. Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application. Charge fee(s) indicated below except for the filing fee Credit any overpayments. Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.Warning: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Large Entity	Small Entity	Fee Description	Fees Paid (\$)
Fee Code (\$)	Fee Code (\$)		
1011	300	2011 150 Utility application filing fee	{ 1,000/500
1111	500	2111 250 Utility search fee	
1311	200	2311 100 Utility examination fee	
1012	200	2012 100 Design application filing fee	{ 430/215
1112	100	2112 50 Design search fee	
1312	130	2312 65 Design examination fee	
1013	200	2013 100 Plant filing fee	{ 660/330
1113	300	2113 150 Plant search fee	
1313	160	2313 80 Plant examination fee	
1004	300	2004 150 Reissue filing fee	{ 1,400/700
1114	500	2114 250 Reissue search fee	
1314	600	2314 300 Reissue examination fee	
1005	200	2005 100 Provisional application filing fee	

SUBTOTAL (1) \$ _____

Based on Form PTO/SB/17 (01-06) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 01/26/06

2. EXCESS CLAIM FEES

<u>Extra Claims</u>				<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims	— 20 or HP =			X	=
HP = highest number of total claims paid for, if greater than 20					
Independent Claims	— 3 or HP =			X	=
HP = highest number of independent claims paid for, if greater than 3					
Multiple Dependent Claims					
Large Entity	Small Entity				
Fee Code	Fee Code	Fee Code	Fee Code	Fee Description	
1202	50	2202	25	Each claim over 20	
1201	200	2201	100	Each independent claim over 3	
1203	360	2203	180	Multiple dependent claims, if not paid	
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent	
1205	50	2205	25	Reissue: each independent claim more than in the original patent	
SUBTOTAL (2) \$ _____					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>	
— 100 =	/ 50 =	(round up to whole number)	X	_____	
Large Entity					
Fee Code	Fee Code	Fee Code	Fee Code	Fee Description: Application size fee for each additional group of 50 sheets beyond Initial 100 sheets (count spec & drawings except sequences & program listings):	
1081	250	2081	125	Utility	
1082	250	2082	125	Design	
1083	250	2083	125	Plant	
1084	250	2084	125	Reissue	
SUBTOTAL (3) \$ _____					

FEE CALCULATION (continued)**4. OTHER FEE(S)**

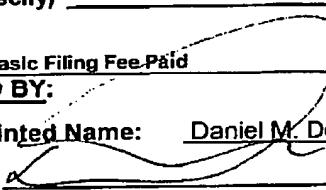
Non-English Specification, \$130 fee (no small entity discount)

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fees Paid (\$)</u>
Fee Code	Fee (\$)	
1051	130	2051 65
1052	50	2052 25
1053	130	1053 130
1812	2,520	1812 2,520
1813	8,800	1813 8,800
1804	920*	1804 920*
1805	1,840*	1805 1,840*
1251	120	2251 60
1252	450	2252 225
1253	1,020	2253 510
1254	1,590	2254 795
1255	2,160	2255 1,080
1401	500	2401 250
1402	500	2402 250
1403	1,000	2403 500
1451	1,510	1451 1,510
1452	500	2452 250
1453	1,500	2453 750
1501	1,400	2501 700
1502	800	2502 400
1503	1100	2503 550
1462	400	1462 400
1463	200	1463 200
1464	130	1464 130
1807	50	1807 50
1806	180	1806 180
8021	40	8021 40
1809	790	2809 395
1814	130	2814 65
1810	790	2810 395
1801	790	2801 395
1802	900	1802 900
1504	300	1504 300
1505	300	1505 300
1803	130	1803 130
1808	130	1808 130
1454	1,370	1454 1,370
Other fee (specify)		
Other fee (specify)		
		SUBTOTAL (4) \$120.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Daniel M. DeVos

Signature: 

Date: 5/16/06

Reg. Number: 37,813

Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450